

**ASSEMBLY BILL**

**No. 2175**

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**Introduced by Assembly Members Laird and Feuer**

February 20, 2008

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An act to add Part 2.55 (commencing with Section 10608) to Division 6 of the Water Code, relating to water conservation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2175, as introduced, Laird. Water conservation.

Existing law requires the Department of Water Resources to convene an independent technical panel to provide information to the department and the Legislature on new demand management measures, technologies, and approaches. "Demand management measures" means those water conservation measures, programs, and incentives that prevent the waste of water and promote the reasonable and efficient use and reuse of available supplies.

This bill would require the department to establish a numeric water conservation target for the state, initially for 2030, that provides for the maximum feasible and cost-effective increase in water conservation. The department would be required, on or before December 31, 2012, and not less than every 5 years thereafter, to review and increase that water conservation target based on specified information. The department would be required to establish interim urban and agricultural water conservation targets for each hydrologic region of the state.

The department would be required to establish and make available to the public, on or before December 31, 2010, and every 5 years thereafter, a list of technically feasible urban water conservation measures. Urban water suppliers would be required to adopt those water

conservation measures that are locally cost effective or to implement alternative measures that achieve equal or greater water savings.

The department would be required to establish and make available to the public, on or before December 31, 2012, and every 5 years thereafter, a list of efficient agricultural water management practices. Agricultural water suppliers would be required to adopt those water management practices that are technically feasible and cost effective for the local area or to implement alternative measures that achieve equal or greater water savings.

The bill would authorize the department to require additional water conservation measures or water management practices under certain circumstances. The bill would make related legislative findings and declarations and a statement of legislative intent.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Part 2.55 (commencing with Section 10608) is  
2 added to Division 6 of the Water Code, to read:

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4 PART 2.55. WATER CONSERVATION

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6 CHAPTER 1. GENERAL DECLARATIONS AND POLICY

7

8 10608. The Legislature finds and declares all of the following:

9 (a) Water is a public trust resource in California that should be  
10 protected against waste and unreasonable use.

11 (b) Growing population, climate change, and the need to protect  
12 California's fish and wildlife make it essential that the state manage  
13 its water resources as efficiently as possible.

14 (c) Reduced water use through conservation provides significant  
15 energy and environmental benefits, can help protect water quality,  
16 and reduces greenhouse gas emissions.

17 (d) Improvements in technology and management practices  
18 offer the potential for increasing water conservation in California  
19 over time, providing an essential water management tool to meet  
20 the need for water for urban, agricultural, and environmental uses.

21 (e) The California Water Plan projects that urban water  
22 conservation can reduce water demand by between 2 and 3 million

1 acre-feet of water per year by the year 2030 through feasible and  
2 cost-effective measures. The plan also projects that agricultural  
3 water conservation has the potential to provide up to 1 million  
4 acre-feet of water per year by 2030 in additional water savings.

5 10608.1. It is the intent of the Legislature, by the enactment  
6 of this part, to require all water suppliers to identify, adopt, and  
7 implement the maximum feasible and cost-effective water  
8 conservation measures to avoid waste and unreasonable use of this  
9 essential resource.

10  
11 CHAPTER 2. DEFINITIONS  
12

13 10608.2. The following definitions apply to this part:

14 (a) “Locally cost effective” means that the present value of the  
15 local benefits of implementing a water conservation measure are  
16 greater than or equal to the present value of the local costs of  
17 implementing that measure.

18 (b) “Water conservation” means those measures, programs, and  
19 incentives that result in reduced demand, prevent the waste of  
20 water, and promote the efficient use of available supplies.

21 (c) Except as otherwise indicated, “water supplier” includes  
22 both of the following:

- 23 (1) An urban water supplier, as defined in Section 10617.  
24 (2) An agricultural water supplier, as defined in subdivision (b)  
25 of Section 531.

26  
27 CHAPTER 3. WATER CONSERVATION TARGETS  
28

29 10608.4. (a) The department shall establish a numeric water  
30 conservation target for California that provides for the maximum  
31 feasible and cost-effective increase in water conservation. The  
32 initial target shall be for the year 2030 and shall be not less than  
33 a 3 million acre-feet of water reduction from current projected  
34 demand in the absence of additional urban water conservation  
35 measures and agricultural water management practices.

36 (b) On or before December 31, 2012, and not less than every  
37 five years thereafter, the department shall review and may increase  
38 the water conservation target, based on consideration of all relevant  
39 information, including, but not limited to, estimates of maximum

feasible and locally cost-effective water conservation potential determined pursuant to Sections 10608.8 and 10608.10.

10608.6. On or before December 31, 2012, the department shall establish interim urban and agricultural water conservation targets for the years 2015, 2020, and 2025, and every five years thereafter, based on the information identified pursuant to Section 10608.4, for each hydrologic region of the state, that reflect the unique conditions of each region and include consideration of relative per capita water consumption, agricultural economics, and conservation and water use efficiency measures adopted prior to the establishment of state and regional water conservation targets. The regional targets shall be designed to cumulatively achieve the statewide water conservation target established and updated pursuant to Section 10608.4.

10608.8. (a) On or before December 31, 2010, and every five years thereafter, the department shall establish and make available to the public a list of technically feasible urban water conservation measures available to meet the urban water conservation targets established pursuant to Sections 10608.4 and 10608.6. In developing the list, the department shall consider all relevant information, including, but not limited to, information provided by the independent technical panel established pursuant to Section 10631.7.

(b) On or before December 31, 2012, and every five years thereafter, an urban water supplier shall either adopt those water conservation measures identified in subdivision (a) that are locally cost effective, or implement alternative measures that achieve equal or greater water savings. An urban water supplier shall adopt a numeric water conservation target, based on the proposed water conservation measures, for 2012 and every five years thereafter. An urban water supplier shall submit documentation indicating that a water conservation measure is not locally cost effective, as applicable.

(c) On or before December 31, 2014, and every two years thereafter, an urban water supplier shall submit a report to the department, confirmed by independent evaluation, that identifies the basis for its adopted water conservation target and its progress in reaching the target.

(d) Based on its review of the report submitted pursuant to subdivision (c) and the related independent evaluation, the

1 department may require additional water conservation measures  
2 if the department determines the proposed target is not consistent  
3 with subdivision (a) or there is insufficient progress in meeting  
4 the target.

5 10608.10. (a) On or before December 31, 2012, and every five  
6 years thereafter, the department shall establish and make available  
7 to the public a list of efficient agricultural water management  
8 practices available to meet the agricultural water conservation  
9 targets established pursuant to Sections 10608.4 and 10608.6.

10 (b) On or before December 31, 2015, and every five years  
11 thereafter, an agricultural water supplier shall either adopt those  
12 water management practices established pursuant to subdivision  
13 (a) that are both technically feasible and cost effective for the local  
14 area, or implement alternative measures that achieve equal or  
15 greater water savings. An agricultural water supplier shall adopt  
16 a numeric water conservation target, based on the proposed water  
17 management practices, for 2015 and every five years thereafter.  
18 An agricultural water supplier shall submit documentation  
19 indicating that a water management practice is not locally feasible  
20 or not locally cost effective, as applicable.

21 (c) On or before December 31, 2015, and every five years  
22 thereafter, an agricultural water supplier shall submit a report to  
23 the department, confirmed by independent evaluation, that  
24 identifies the basis of its adopted water conservation target and its  
25 progress in reaching the target.

26 (d) Based on its review of the report submitted pursuant to  
27 subdivision (c) and the related independent evaluation, the  
28 department may require additional water management practices if  
29 the department determines the proposed target is not consistent  
30 with subdivision (a) or there is insufficient progress in meeting  
31 the target.

32 10608.12. To the extent that the aggregate of the water  
33 conservation targets established pursuant to Sections 10608.8 and  
34 10608.10 does not meet the state targets identified in Sections  
35 10608.4 and 10608.6, the department shall propose and adopt a  
36 plan of action to meet the state targets. This plan shall specify the  
37 increased levels of water conservation that need to be implemented  
38 at the state and local level, in addition to the locally cost-effective  
39 water conservation measures or water management practices  
40 proposed pursuant to Section 10608.8 or 10608.10.

1 10608.14. Water suppliers may comply with Sections 10608.8  
2 and 10608.10 individually or regionally and the requirements may  
3 be met through the submission of an urban water management  
4 plan or agricultural water management plan that is consistent with  
5 this part.

6 10608.16. (a) The department shall develop methodologies  
7 and guidelines as necessary to implement this part.

8 (b) All state water conservation targets, methodologies, and  
9 guidelines, and lists of feasible water conservation measures or  
10 water management practices established pursuant to this part, shall  
11 be established only after the department, or at the department's  
12 request, the California Water Commission, conducts a series of  
13 public hearings and workshops to allow participation of the diverse  
14 geographical areas and interest of the state.

15 10608.18. (a) The Legislature hereby finds and declares that  
16 the development, adoption, and implementation of water  
17 conservation targets as provided in this part is an issue of statewide  
18 significance that is critical to the effective implementation of  
19 integrated regional water management in California.

20 (b) It is the intent of the Legislature that funds made available  
21 by Section 75026 of the Public Resources Code should be  
22 expended, consistent with Division 43 (commencing with Section  
23 75001) of the Public Resources Code and upon appropriation by  
24 the Legislature, for grants and direct expenditures to implement  
25 this part.